

MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

PART I: GENERAL INFORMATION

Type of Requestor: (x) HCP () IE () IC	Response Timely Filed? (x) Yes () No
Requestor's Name and Address AHC on behalf of Doctors Hospital of Laredo 10002 Battlevue Parkway Manassas, Virginia 20109	MDR Tracking No.: M4-03-8126-01
	TWCC No.:
	Injured Employee's Name:
Respondent's Name and Address Fidelity & Casualty Company of New York C/O Burns, Anderson, Jury & Brenner P O Box 26300 Austin, Texas 78755-0300 Box 47	Date of Injury:
	Employer's Name: Incarnate Word Health Systems
	Insurance Carrier's No.: 104 7 L1694

PART II: SUMMARY OF DISPUTE AND FINDINGS

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
10/08/02	10/11/02	Surgical Admission	\$46,412.30	\$0.00

PART III: REQUESTOR'S POSITION SUMMARY

Provider did not submit a position statement.

PART IV: RESPONDENT'S POSITION SUMMARY

"Provider billed a total of \$46,412.30. Of that amount, \$34,030.50 was charged for implants under revenue code 278. According to the invoices, these implants actually cost Provider only \$9,723, resulting in a grossly inflated mark-up of 350% of Provider's actual cost. Carrier reduced the billed charges for the implants to cost plus ten percent. Cost plus ten percent for the implants equals \$10,659.30. Adding this amount to the remaining billed charges of \$12,381.80 results in total audited charges of \$23,077.10, significantly below the stop-loss threshold of \$40,000. Thus, the only reason Provider's billed charges exceed the stop-loss threshold is because it grossly inflated the charges for the implants."

PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

This dispute relates to inpatient services provided in hospital setting with reimbursement subject to the provisions of Rule 134.401 (Acute Care Inpatient Hospital Fee Guideline). The hospital has requested additional reimbursement according to the stop-loss method contained in that rule. Rule 134.401(c)(6) establishes that the stop-loss method is to be used for "unusually costly services." The explanation that follows this paragraph indicates that in order to determine if "unusually costly services" were provided, the admission must not only exceed \$40,000 in total audited charges, but also involve "unusually extensive services."

After reviewing the documentation provided by both parties, it does **not** appear that this particular admission involved "unusually extensive services." Accordingly, the stop-loss method does not apply and the reimbursement is to be based on the per diem plus carve-out methodology described in the same rule.

Considering the reimbursement amount calculated in accordance with the provisions of rule 134.401(c) compared with the amount previously paid by the insurance carrier, we find that no additional reimbursement is due for these services.

PART VI: COMMISSION DECISION

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is **not** entitled to additional reimbursement.

Ordered by:

Michael Bucklin

03/03/05

Authorized Signature

Typed Name

Date of Order

PART VII: YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on _____. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

Si prefiere hablar con una persona in español acerca de ésta correspondencia, favor de llamar a 512-804-4812.

PART VIII: INSURANCE CARRIER DELIVERY CERTIFICATION

I hereby verify that I received a copy of this Decision and Order in the Austin Representative's box.

Signature of Insurance Carrier: _____ Date: _____